

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
Charleston Division**

Nelson L. Bruce,

Plaintiff,

v.

Bank of America, N.A.,

Defendant.

Civil Act. No. 2:19-cv-3456-BHH-BM

**DEFENDANT BANK OF AMERICA, N.A.'S
ANSWERS TO LOCAL RULE 26.01 INTERROGATORIES**

Defendant Bank of America, N.A. ("BANA"), pursuant to Local Rules of the Federal District Court of South Carolina, responds as follows to Local Rule 26.01 Interrogatories:

(A) State the full name, address and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER: BANA is not aware of any person or legal entity with a subrogation interest in this action.

(B) As to each claim, state whether it should be tried jury or non-jury and why.

ANSWER: Plaintiff has demanded trial by jury because he is asking the Court to confirm an alleged arbitration award.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent.

ANSWER: Bank of America, N.A. is wholly owned by BAC North America Holding Company. BAC North America Holding Company is a direct, wholly owned subsidiary of NB Holdings Corporation. NB Holdings Corporation is a direct, wholly owned subsidiary of Bank of

America Corporation. Bank of America Corporation is a publicly held company whose shares are traded on the New York Stock Exchange and has no parent corporation. Based on the U.S. Securities and Exchange Commission Rules regarding beneficial ownership, Berkshire Hathaway Inc., 3555 Farnam Street, Omaha, Nebraska 68131, beneficially owns greater than 10% of Bank of America Corporation's outstanding common stock.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: The United States District Court for the District of South Carolina, Charleston Division, is the proper place for this lawsuit because it is the federal district court that embraces the Court of Common Pleas for Dorchester County in which a related foreclosure action no. 2016-CP-18-01678 is filed and is pending.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action.

ANSWER: BANA is aware of the following actions in which the petitioner sued BANA:

- *Bruce v. Bank of America, N.A.*, D.S.C. Civil Action No. 2:17-cv-01864 (settled and closed)
- *Bank of America, N.A. v. Bruce*, State Court Foreclosure Action No. 2016-CP-18-01678 (pending before the Court of Commons Pleas for Dorchester County)
- *Bank of America, N.A. v. Bruce*, D.S.C. Civil Action No. 2:17-cv-02617 (removed foreclosure action remanded to Court of Commons Pleas for Dorchester County)
- *Bruce v. Bank of America, et al.*, D.S.C. Civil Action No. 2:18-cv-02555 (dismissed and closed)
- *Bruce v. Bank of America, N.A.*, D.S.C. Civil Action No. 2:19-cv-02854 (pending decision on confirmation of alleged arbitration award on parties' submissions)

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: BANA is properly identified in the Complaint initiating this action.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or to the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: BANA has not identified any other person or legal entity who is, in whole or in part, liable to BANA or to the Plaintiff. BANA reserves the right to identify and join other parties to this action pursuant to the Federal Rules of Civil Procedure if such need arises.

Respectfully submitted on this 26th day of February, 2020.

MCGUIREWOODS LLP

/s/ Brian A. Calub

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Counsel for Defendant Bank of America, N.A.

CERTIFICATE OF SERVICE

I certify that on this 26th day of February, 2020, the foregoing was e-filed with the court's CM/ECF system and a true and correct copy was sent via first-class U.S. Mail address to:

Nelson L. Bruce
144 Pavilion Street
Summerville, SC 29483

/s/ Brian A. Calub
Brian A. Calub

Counsel for Defendant Bank of America, N.A.